

IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF MASSACHUSETTS

SINGULAR COMPUTING LLC,

Plaintiff,

v.

GOOGLE LLC

Defendant.

Civil Action No.: 1:19-cv-12551 FDS

**DEFENDANT’S ASSENTED TO MOTION  
TO SEAL PURSUANT TO LOCAL RULE 7.2**

Pursuant to Local Rule 7.2 and the Protective Order in this case (“Protective Order”), ECF No. 74-1, Defendant Google LLC (“Google”) respectfully requests that this Court impound (seal) an exhibit to the Declaration of Anna Porto in Support of Defendant Google LLC’s Motion to Modify the Scheduling Order (ECF No.197) (“the Porto Declaration”). The exhibit to be sealed is identified below.

The Protective Order allows a party producing documents in discovery to designate documents as “Confidential” after making a good-faith determination that the documents contain information that is “confidential, proprietary, and/or commercially sensitive information.” Protective Order ¶¶ 6-7. That Order requires that a party intending to make court filings referring to “Confidential” information bring a motion to impound. *Id.* ¶ 14. The following exhibit to the Porto Declaration quotes from a document that Singular has designated as containing confidential information:

- **Exhibit P**, an April 27, 2021 e-mail from counsel for Google to counsel for Plaintiff Singular Computing LLC.

Submission of the above-identified confidential exhibit is necessary to permit the Court to fully evaluate the issues raised in Google’s Motion to Modify the Scheduling Order as the exhibit is cited in

Google's Memorandum of Law in Support of its Motion to Modify the Scheduling Order. Google therefore brings this Motion to Impound to impound the above-identified exhibit.

For the foregoing reasons, Google respectfully requests that the Court permit it to file the above-identified exhibit under seal because Singular has taken the position that the exhibit discusses confidential business information. Google further requests that the documents remain impounded until further order by the Court, and that upon expiration of the impoundment that the documents be returned to Google's counsel.

Respectfully submitted,

Dated: May 24, 2021

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**LOCAL RULE 7.1(a)(2) CERTIFICATION**

I, Nathan R. Speed, counsel for Defendant, hereby certifies that counsel for Defendant conferred with Plaintiff's counsel in a good-faith attempt to resolve or narrow the issue raised by this motion. Plaintiff's counsel informed counsel for Defendant that Plaintiff assents to the relief sought in this motion.

/s/ Nathan R. Speed  
Nathan R. Speed

**CERTIFICATE OF SERVICE**

I hereby certify that on this date, the foregoing pleading was served upon the attorneys of record for all parties by electronically filing the foregoing pleading with the Clerk of Court using the CM/ECF system, which will automatically send e-mail notification of such filing to registered attorneys of record.

Dated: May 24, 2021

/s/ Nathan R. Speed  
Nathan R. Speed